

**CITY COUNCIL  
CITY OF LEXINGTON, NEBRASKA  
April 11, 2023**

A Regular Meeting of the Lexington City Council was held Tuesday, April 11, 2023, at Lexington, Nebraska at 5:30 p.m. Members of the Council present were John Fagot, John Salem, Dora Vivas, Steve Smith, and Jeremy Roberts. City Officials present were City Manager Joe Peplitsch, Assistant City Manager Dennis Burnside, Finance Director Barb Hodges, City Attorney Brian Copley and City Clerk Pamela Baruth. The press was represented by Clipper-Herald.

**NOTICE:** Notice of the meeting was given in advance, thereof by publication in the Lexington Clipper-Herald, the designated method for giving notice, as shown by the Affidavit of Publication attached to these Minutes. Notice of this meeting was simultaneously given to the Mayor and all members of the Council, and a copy of their Acknowledgment of Receipt of Notice and the Agenda is attached to these Minutes. Availability of the Agenda was communicated in advance notice and in the notice to the Mayor and Council of this Meeting. The proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. All items presented and discussed on the agenda were available for public inspection.

**CALL TO ORDER:** The meeting was called to order by Mayor Fagot. Fagot informed the public that the Open Meetings Act is posted in the Meeting Room at the Lexington City Hall, 406 E. 7th Street, Lexington, Nebraska.

**MINUTES – REGULAR MEETING 3-28-2023:** Minutes of the Regular meeting held Tuesday, March 28, 2023, were presented. Moved by Salem, seconded by Smith, to approve the minutes as presented. Roll call. Voting “aye” were Vivas, Roberts, Smith, Salem, Fagot. Motion carried.

**CLAIMS & BILLS:** Claims and Bills in the amount of \$522,550.71 were presented for Council’s consideration and approval. Upon review of the Claims and Bills as listed, moved by Smith, seconded by Roberts, to approve the Claims and Bills as listed, and authorize the City Treasurer to transfer \$238,371.02 from General Fund, \$30,146.32 from Street Fund, \$225,310.09 from LEXUS, \$10,000.00 from Sanitation, \$1,284.28 from Ambulance, \$14,695.72 from Health Fund, and \$2,743.28 from Meals on Wheels to the City of Lexington’s Operating Account. Roll call. Voting “aye” were Vivas, Salem, Roberts, Smith, Fagot. Motion carried.

**ACCOUNTS PAYABLE  
April 11, 2023**

B & H Services / Service Master	EL / OC / Cleaning Service	5,570.31
Baker & Taylor	LB / Books	1,415.41
Black Hills Energy	Natural Gas Service	3,803.29
C A Enterprises / PIP Marketing	EL / Disconnect Tags	556.96
Cash-Wa Distributing	MOW / Food & Supplies	1,614.17
Cengage Learning	LB / Books	144.32
Chesterman Company	MOW / Beverages	84.00
City of Lexington	Interdepartmental Service Fees	55,749.00
	Utility Franchise Fees	241.90
City of Lexington / Street	SW/WR/Interdepartmental Service Fees	6,876.23
Danko Emergency Equipment Company	FD / Leather Structural Boots	6,385.15
Dan's Sanitation	Sanitation Fees	14,754.55
Davis Energy	FD / Fuel / Washer Fluid	121.89
Dawson County Communications	Dispatch Fees / Quarter 2	29,750.00

Dawson Public Power District	Power Purchase	76.15
Dell Marketing LP	DS / ND / ST / Computers / Laptop	3,331.55
Depository Trust Company	2015 GO Bond / Interest	1,155.00
	2018 CURB Bond	12,367.50
	2021 Highway Allocations Bond	3,126.25
Dutton-Lainson Company	EL / Meter Socket	261.93
Eakes Inc	EL/LB/ST/Copier Exp/Office Supplies	826.51
Electrical Engineering & Equipment Co	PK / Hardware	16.83
Fagot Refrigeration & Electric Inc	WWTP / Service / Heat Pump	973.51
Family Advocacy Network	PD / 2023-2024 Subscription Dues	1,000.00
Fastenal Company	ST / WR / Supplies / Hardware	332.43
First Interstate Bank	LB / Petty Cash	342.13
Galls, LLC	PD / Uniform Expense	218.36
Gnirk Lawn Care Inc	EL/Ground Sterilant/Shop/Transformers	2,325.85
Great Plains Communications	City Internet Services	345.60
Greater Nebraska Cities	Monthly Lobbying Services	667.00
Hasselbring, Diana	Cemetery Spaces / Buy Back	175.00
Health Claims	Claims	7,110.22
Heldt McKeone & Copley	Professional Fee	2,700.00
Heldt McKeone&Copley Real Estate Trust	ND / Land / St. Ann's Second Add	15,000.00
Hiland Dairy Foods	MOW / Dairy Products	178.68
Homeier Ventures Inc / Bob's True Value	GGC / WWTP / Filters / Hardware	91.31
Hydro Optimization&Automation Solutions Inc	ST / WWTP / SCADA Support	1,987.08
Ideal Laundry & Cleaners	Rug Service	565.40
Ingram Library	LB / Books	114.40
Intermedia.net Inc	Web Phone Charges	282.70
Invest Plus / Plum Creek Market Place	MOW / Food	76.00
JK Energy Consulting LLC	EL / Rate Study	1,700.00
Jones Plumbing & Heating Inc	ND/OC/PK/Auger Sewer Lines/Parts	339.14
KBC Inc / Johnstone Supply	OC / Pleated Filters	890.43
Kirk's Trenching & Septic Service LLC	CEM / Portable Rental	75.00
Komline-Sanderson	WWTP / Parts	1,656.31
LEE Enterprises Inc / Clipper Herald	Publications	1,074.54
Lexington Area Solid Waste Agency	Special Waste Disposal	1,555.40
Lexington, City Payroll Account		
Payroll	Wages	166,654.69
Social Security	Employer Portion / FICA Med	12,439.49
Union Bank & Trust	Employer Portion / Pension	5,814.82
Union Bank & Trust	Police Pension	3,535.97
ICMA	City Manager Pension	1,078.84
Lexington Volunteer Fire Department	AMB / 1st Quarter Billing	190.96
Luther, Ann	REC / Mileage / Food Show	47.16
MAS Modern Marketing Inc	LB / Promotional Supplies	140.30
Mead Lumber	Parts/Tools/Hardware / Supplies	1,284.03
Melson, Dane / Anytime Fitness	Fitness Memberships	187.20
Midwest Laboratories Inc	WWTP / Lab Supplies	25.00
Miller, Trever	FD / Record Keeping	250.00
Nebraska Dept of Revenue	Sales and Use Tax	64,130.38
Nebraska Diplomats Inc	CC/Membership/McFarland, Barry	350.00
Nebraska Water Experts / Culligan	Soft Water Supplies	468.45
Nebraskalink	LB / Internet Service	150.00

O'Hara Lindsay and Associates	Monthly Lobbying Services	333.00
One Call Concepts Inc	Locates	76.86
O'Reilly Auto	ST / WR / Parts	97.86
Paulsen Inc	WR / Limestone	1,333.76
Platte Valley Auto	PD/Oil Change	65.96
Platte Valley Laboratories Inc	WWTP / Reference Testing	792.50
Primary Electric Inc	EL / Replace Bulbs / Shop	75.00
Quick Med Holdings LLC	AMB/Ground Trips	34.64
Rasmussen Mechanical Services Inc	WWTP / Boiler Repair	2,682.00
Rentokil Company / Presto-X	WWTP / LB / Pest Control	168.37
Robles, Julie	GGC / Mileage / Food Show	47.16
Roemmich, Austin	AMB / Record Keeping	250.00
Rose Equipment Inc	ST / Parts	988.29
S & W Auto Parts	WWTP / Parts	46.29
South Central Nebraska Baseball League	REC / League Fees	450.00
US Foods	MOW / Food & Supplies	600.96
W W Grainger	WWTP / Pleated Filters / Hardware	112.30
Werner's Sprinklers / Dawson Pest Control	FD / GGC / OC / Pest Control	167.05
Wilkins ArchitectureDesignPlanning LLC	PK/Veterans Pavilion/Managed Svcs	1,244.06
Amazon Capital Services	LB / Books / Promotions / Supplies	599.95
ARK I CEA Holdco LLC / Solsystems	Solar Power Purchase / Airport Road	11,475.10
Baker & Taylor	LB / Books	462.08
Barco Municipal Products Inc	ST / Bridge Markers	145.28
Davis Energy	FD / ST / Fuel / Grease / DEF	415.08
First Interstate Bank	PD / ST / WR / Petty Cash	88.61
Hach Company	WWTP / Lab Supplies	342.22
Harris, Jason	DS / Boot Expense / Reimbursement	53.44
HD Supply Inc	SW / Equipment Hose	96.15
Health Claims	Claims	7,473.50
Intellicom Computer Consulting Inc	Tech Support / Software	4,770.18
John Deere Financial / Bomgaars	PK / ST / WWTP / Supplies / Parts	871.04
John Deere Financial / Landmark	CEM / PK / Parts / Repairs	4,482.48
Landmark Implement Inc / Lexington NE	CEM / Grasshopper Mower	17,700.00
League Of Nebraska Municipalities	CM / 2023 Nebraska Directory	147.50
Martin Electric Company	AMB / FD / Parts	115.40
Meritain Health	Quest Diagnostics / Late Billing	112.00
NE Law Enforcement Training Center	Firearms Instructor Certification/Kinney	72.00
Nebraska Tech & Telecommunications	Phone Service	1,330.58
OCLC Inc	LB/Cataloging/Metadata/World Share	156.68
Patton, Janell	AMB / EMT Certification / Expenses	710.78
Paulsen Inc	WWTP / Gravel	199.22
Platte Valley Auto	PD / WR / Oil & Lube	179.07
Platte Valley Communications	PD / Maintenance	90.00
Quadient Finance USA Inc	Postage	3,000.00
S & W Auto Parts	WWTP / Supplies	23.24
Sirchie Acquisition Company LLC	PD / Testing Kits	69.81
Stout, Robby B	WR / Street Repairs	4,273.00
Tyler Technologies Inc	Insite Transaction Fees/Utility Billing Notifications	5,327.75
U Save Pharmacy / Business Equipment	CM / EL / GGC / LB / Office Supplies	277.28
Vak, Joseph / Lexington Animal Clinic	PD / Animal Care	794.25

Wesco Distribution	PK / ST / Supplies	378.30
	<b>TOTAL CLAIMS:</b>	<b>522,550.71</b>

**PUBLIC COMMENTS:** Ricardo Arreaga, with the assistance of Gabby Sager, appeared before the City Council to request assistance for the Lexington Men’s Soccer League for additional services at the Lexington Fieldhouse and soccer fields; being internet access and shading over the bleachers.

**PUBLIC HEARING:** Mayor Fagot opened a public hearing to consider a liquor license application for manager change at Country Partners Cooperative dba Cenex Ampride. He noted this application is due to a change in corporate officers. There were no comments, and the public hearing was closed. Following discussion, moved by Salem, seconded by Vivas, to recommend approval to the Liquor Control Commission of the manager change application as presented. Roll call. Voting “aye” were Smith, Roberts, Vivas, Salem, Fagot. Motion carried.

**SUBDIVISION:** Mayor Fagot opened a public hearing to consider the proposed Wycoff 2<sup>nd</sup> Addition. Peplitsch explained this addition would be a replat of Lot 3, Wycoff Addition, into several lots for use in a projected housing project. There were no public comments, and the public hearing was closed. Resolution No. 2023-07 was presented. Following discussion, moved by Roberts, seconded by Smith, to approve Resolution No. 2023-07. Roll call. Voting “aye” were Vivas, Salem, Smith, Roberts, Fagot. Motion carried.

**RESOLUTION NO. 2023 - 07**

**WYCOFF 2<sup>nd</sup> ADDITION**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA, AS FOLLOWS:

The plat of WYCOFF 2<sup>nd</sup> ADDITION, a re-plat of Lot 3 Wycoff Addition to the City of Lexington, Dawson County, Nebraska, duly made out, acknowledged and certified, and the same hereby is approved, accepted, and ordered filed and recorded in the office of the Register of Deeds of Dawson County, Nebraska.

**PASSED AND APPROVED this 11<sup>th</sup> day of April, 2023.**

**PROJECT BIDS:** Peplitsch reviewed bids received for the Patriot Park/Lake project. Following discussion, moved by Smith, seconded by Vivas, to accept the bids as presented and to authorize the award of the contract to Husker Engineering. Roll call. Voting “aye” were Salem, Roberts, Vivas, Smith, Fagot. Motion carried.

**PILOT:** Derek Haines, Lexington Housing Authority Director, requested a waiver of the Payment in Lieu of Taxes agreement with the City of Lexington for Fiscal Year 2023-2024. Following discussion, moved by Roberts, seconded by Salem, to approve a waiver of the PILOT agreement as requested. Roll call. Voting “aye” were Vivas, Smith, Salem, Roberts, Fagot. Motion carried.

**PAY REQUEST:** Peplitsch reviewed Pay Request #19 for the 2021 Wastewater Facility Improvements project from Walters-Morgan Construction in the amount of \$216,971.65. Following a project update, moved by Roberts, seconded by Vivas, to approve Pay Request #19 as presented. Roll call. Voting “aye” were Smith, Salem, Vivas, Roberts, Fagot. Motion carried.

**PAY REQUEST:** Peplitsch reviewed Pay Request #8 in the amount of \$159,782.40 from Lacy Construction for the Veterans Pavilion at Kirkpatrick Memorial Park project. Following a project update, moved by Smith, seconded by Salem, to approve Pay Request #8 as presented. Roll call. Voting “aye” were Vivas, Roberts, Salem, Smith, Fagot. Motion carried.

**ROUNDTABLE:** Peplitsch gave an update on current projects.

**ADJOURNMENT:** There being no further business to come before the Council, Fagot declared the meeting adjourned.

John Fagot, Mayor

Pamela Baruth, City Clerk

I, the undersigned City Clerk for the City of Lexington, Nebraska, hereby certify that all of the subjects included in the foregoing proceedings were contained in the Agenda for the meeting, kept continually current and available for public inspection at the office of the City Clerk during regular business hours prior to said meeting; that the Minutes of the Mayor and Council of the City of Lexington, Nebraska, from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

/s/ Pamela Baruth  
City Clerk